

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

Case No.: 7:17-cv-00170-D

BRANDON A. MOORE,

Plaintiff,

v.

SMITHFIELD FARMLAND CORP.,

Defendant.

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MOTION TO DISMISS

**Fed. R. Civ. P. 12(b)(6), and
Local Civil Rules 7.1 and 7.2**

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant, Smithfield Farmland Corp. (“Smithfield” or the “Company”), by its attorneys, respectfully moves this Court to dismiss Plaintiff Brandon A. Moore’s (“Plaintiff”) Complaint with prejudice. In support of this motion, Smithfield submits the accompanying Memorandum of Law.

For the reasons stated in the accompanying memorandum, Smithfield respectfully requests the Court grant its motion and enter an order dismissing Plaintiff’s claim with prejudice and awarding the Company costs, attorneys’ fees, and such other relief as the Court deems appropriate.

Respectfully submitted this 15th day of September 2017.

SMITHFIELD FARMLAND CORP.

/s/ Melissa A. Romanzo

Melissa A. Romanzo (NC Bar No. 38422)

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Counsel for Defendant Smithfield Farmland Corp.

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of September 2017, a true and correct copy of the foregoing was filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

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Attorney for Plaintiff

/s/ Melissa A. Romanzo

Melissa A. Romanzo